

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE RICHARD M. OSBORNE  
*Debtor*

CASE No. 17-17361  
CHAPTER 11  
JUDGE ARTHUR I. HARRIS

**SUPPLEMENTAL MOTION OF RICHARD M. OSBORNE, SR. DEBTOR AND DEBTOR IN POSSESSION  
FOR AUTHORITY TO COMPROMISE CONTROVERSIES WITH CHICAGO TITLE INSURANCE  
COMPANY AND TO ABANDON MEMBERSHIP INTERESTS IN LEIMCO ACQUISITION COMPANY  
LLC.**

Richard M. Osborne, Sr. Debtor and Debtor in Possession (“Debtor”), moved the Court pursuant to 11 U.S.C. § 507 and Federal Rule of Bankruptcy Procedure 9019(a) for an order approving a settlement of a certain pre-petition claims with Chicago Title Insurance Company (“Chicago Title” and “Chicago Title Claim”) and pursuant to 11 U.S.C. § 554 for abandonment of the estate’s ownership interests in Leimco Development Company LTD and Leimco Holding Company LLC [Doc. 189]. (“Motion to Compromise”). No objection was made to the Motion to Compromise. However in preparing the state court settlement agreements, the parties discovered that although a mortgage from Home Savings Bank had been assigned to Leimco Holding Company LLC, the judgment liens, for reasons unknown, were instead assigned to Leimco Acquisition Company LLC (“Acquisition”). Acquisition has no other assets other than the assigned judgments from Home Savings, and because of the assessments set forth in the Motion to Compromise there is no realizable value to the judgements that it holds

THEREFORE, the Debtor respectfully requests that this Court enter an order approving the abandonment of the Debtor’s interests in Leimco Acquisition Company LLC subject to the proposed settlement and the contingencies that must be satisfied as set forth in the Motion to Compromise.

Respectfully submitted,  
/s/ Frederic P. Schwieg, Esq.

Frederic P. Schwieg, Esq. (0030418)  
Attorney at Law  
2705 Gibson Dr  
Rocky River, OH 44116  
(440) 499-4506  
Fax: (440) 398-0490  
fschwieg@schwieglaw.com  
Counsel for Richard M. Osborne, Sr. Debtor and  
Debtor in Possession

**CERTIFICATE OF SERVICE**

A copy of this Supplemental Motion to Compromise was served on the following on July 13, 2018 filed by Notice of Electronic Filing or email.

The following is a list of the parties who are on the list to receive e-mail notice/service for this case:  
**17-17361 Notice will be electronically mailed to the U.S. Trustee, and:**

Gregory P. Amend on behalf of Creditor First National Bank of Pennsylvania  
gamend@bdblaw.com, grichards@bdblaw.com

Alison L. Archer on behalf of Interested Party Lakeland Community College  
alison.archer@ohioattorneygeneral.gov, Trish.Lazich@ohioattorneygeneral.gov;angelique.dennis-noland@ohioattorneygeneral.gov

Adam S. Baker on behalf of Creditor Michael E. Osborne, Sr.  
abakerlaw@sbcglobal.net, adam@bakerlaw.us;abakerlaw@gmail.com

Austin B. Barnes, III on behalf of Creditor Tax Ease Ohio, LLC  
abarnes@sandhu-law.com, bk1notice@sandhu-law.com

Robert D. Barr on behalf of Creditor Chicago Title Insurance Company  
rbarr@koehler.law, rbarr@koehler.law

David T. Brady on behalf of Creditor Tax Ease Ohio, LLC  
DBrady@Sandhu-Law.com, bk1notice@sandhu-law.com

Stephen R. Franks on behalf of Creditor Bank of America, N.A.  
amps@manleydeas.com

Christopher J. Klym on behalf of Creditor Ohio Department of Taxation  
bk@hhkwlaw.com

Matthew H. Matheney on behalf of Creditor First National Bank of Pennsylvania  
mmatheney@bdblaw.com, bhajduk@bdblaw.com

Timothy P. Palmer on behalf of Creditor The Huntington National Bank  
timothy.palmer@bipc.com, donna.curcio@bipc.com

Kirk W. Roessler on behalf of Creditor Estate of Jerome T. Osborne  
kroessler@walterhav.com, kballa@walterhav.com;slasalvia@walterhav.com

John J. Rutter on behalf of Creditor Mentor Lumber & Supply Co.

jrutter@ralaw.com

Frederic P. Schwieg on behalf of Debtor Richard M. Osborne  
fschwieg@schwieglaw.com

Michael J. Sikora, III on behalf of Creditor Chicago Title Insurance Company  
msikora@sikoralaw.com, aarasmith@sikoralaw.com;mtroha@sikoralaw.com

Nathaniel R. Sinn on behalf of Creditor First National Bank of Pennsylvania  
nsinn@bdblaw.com, kslatinsky@bdblaw.com

Rachel L. Steinlage on behalf of Interested Party Zachary B Burkons  
rsteinlage@meyersroman.com, jray@meyersroman.com;mnnowak@meyersroman.com

Andrew M. Tomko on behalf of Creditor Tax Ease Ohio, LLC  
atomko@sandhu-law.com, bk1notice@sandhu-law.com

Jeffrey C. Toole on behalf of Interested Party Zachary B Burkons  
toole@buckleyking.com, young@buckleyking.com;heberlein@buckleyking.com

Michael S. Tucker on behalf of Creditor Citizens Bank, N.A.  
mtucker@ulmer.com

Maria D. Giannirakis ust06 on behalf of U.S. Trustee United States Trustee  
maria.d.giannirakis@usdoj.gov

Scott R. Belhorn ust35 on behalf of U.S. Trustee United States Trustee  
Scott.R.Belhorn@usdoj.gov

Ordinary US Mail Service:  
Eric Condon, Esq.  
105 Main Street  
P.O. Box 490  
Painesville, Ohio 44077  
Counsel for Plaintiff Lake County Treasurer

James M. Lyons, Esq.  
240 East Main Street  
Painesville, Ohio 44077  
Counsel for City of Painesville

/s/ Frederic P. Schwieg  
Frederic P. Schwieg